

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Implementing a Nationwide,)	
Broadband, Interoperable Public)	PS Docket No. 06-229
Safety Network in the 700 MHz)	
Band)	

**COMMENTS ON PETITIONS FOR WAIVER TO DEPLOY 700 MHz PUBLIC
SAFETY BROADBAND NETWORKS**

The City of Mesa Arizona, on behalf of the TOPAZ Regional Wireless Cooperative (TRWC)

hereby submits the following comments in response to the Commission’s *Public Notice*, DA 10-1758 (released September 15, 2010), in the above-captioned proceeding. The Commission’s Initial inquiry in the *Public Notice* concerns those petitions for waiver that are co-signed by investor-owned utilities or other entities that may not be eligible users of the 700 MHz broadband spectrum pursuant to Section 337 of the Communications Act. Section 337 specifies that the public safety spectrum allocated in the 700 MHz band is for “services the sole or principal purpose of which is to protect the safety of life, health or property.” The City of Mesa generally supports partnerships of public safety agencies (police, fire, EMS) and other public service entities (public works, transportation, hospitals, utility providers) for public safety communications systems, especially with critical infrastructure entities that have safety-related missions.

The City of Mesa urges the Commission to broaden its interpretation of Section 337 of the United States Code, and allow early builders who have a waiver to build out a 700 MHz public safety broadband network to enter into agreements with other public service providers or critical infrastructure agencies to use the network. Limiting the ability to enter into such agreements diminishes the potential for partnerships and takes away a means for reducing the overall cost of broadband deployment.

CONCLUSION

The City of Mesa on behalf of the TRWC, urges the Commission to continue to work with the Administration, Congress, federal, state and local stakeholders to ensure that deployment of a sufficient and effective nationwide interoperable public safety broadband network is realized as soon as possible.